PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1052.051

In re application of:

George P. Vella-Coleiro

Serial No.:

10/730,419

Group Art Unit:

Filed:

12/08/03

Examiner:

Young Toi Tse

Matter No.:

Andrew 894CIP

Phone No.:

571-272-3051

For:

Digital Pre-Distortion for the Linearization of Power Amplifiers with Asymmetrical

Characteristics

## TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION (37 CFR 1.321(c))

The owner, Andrew Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/607,924, filed on 06/27/03, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

09/28/2006 HDEMESS1 00000014 10730419 \*

01 FC:1814

130.00 DP

Certification Under 37 CFR 1.8

Date of Deposit <u>09 /25 /2006</u>

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Laudenslager

(Name of person mailing)

## **FEE STATUS** (37 CFR 1.20(d))

[]	Small entity fee \$65.00.		
		FEE PAYMENT	
[X]	Form	m PTO-2038 authorizing credit card payment in the amount of \$130.00.	
[]	Please	Please charge Mendelsohn & Associates, P.C. Deposit Account No. 50-0782 the amount of \$ A duplicate copy of this sheet is attached.	
[X]	The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication or credit any overpayment to <b>Deposit Account No. 50-0782</b> . A duplicate copy of this sheet is attached.		
	[X]	The statutory disclaimer fee under 37 CFR 1.20(d).	
	[X]	Any filing fees under 37 CFR 1.16 for the presentation of extra claims.	
	[X]	Any patent application processing fees under 37 CFR 1.17.	
		Respectfully submitted,	

Customer No. 22186 Mendelsohn & Associates, P.C. 1500 John F. Kennedy Blvd, Suite 405

Philadelphia, Pennsylvania 19102

(215) 557-6657 (phone)

Steve Mendelsohn

Registration No. 35,951

Attorney for Applicant

(215) 557-8477 (fax)